

11145

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Jason Dominik Hool, Javier Urena, Fredrick
Spears and Osamu Ohno

SERIAL NUMBER: 09/849,731

FILED: May 3, 2001

FOR: A DIAGNOSTIC PETTE ASSEMBLY
INCLUDING AUTOMATED
ASPIRATION APPARATUS

PATENT

ART UNIT NO.: 1743

EXAMINER: Dwayne K. Handy

ATTORNEY DOCKET NO.:
HCDI1786

San Jose, California
February 10, 2004

I hereby certify that this Response A and all documents referred to as
enclosed therein is being deposited with the United States Postal
Service on February 10, 2004 in an envelope marked as First Class
Mail addressed to Mail Stop: NON-Fee Amendment, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Douglas A. Chaikin

Typed or printed name of person mailing paper or fee

Signature of person mailing paper

RESPONSE A TRANSMITTAL
(SUPPLEMENTAL)

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is Response A in the above-identified application.

X Small entity status of this application under 37 CFR §1.9 and §1.27 has been
established.

Corrected Drawings, to wit: Figs. 3 and 8 with appropriate red lettering.

RESPONSE A TRANSMITTAL(Supplemental)
ATTORNEY DOCKET NO.: HCDI1786

February 10, 2004

- _____ A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
- _____ Fee of \$55 for extension of time in the first month.
- X No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amendment		Highest No Previously Paid for	Present Extra
TOTAL	* 19	MINUS	** 21	= 0
INDEP.	* 4	MINUS	*** 5	= 0
___ FIRST PRESENTATION OF MULTIPLE DEPENDANT CLAIM				

SMALL ENTITY	
RATE	ADDIT. FEE
X 11 =	\$
X 39 =	\$
+125 =	\$
TOTAL ADDIT. FEE	\$0

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X 22 =	\$
X 78 =	\$
+250 =	\$
TOTAL ADDIT. FEE	\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3

** If the "Highest number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

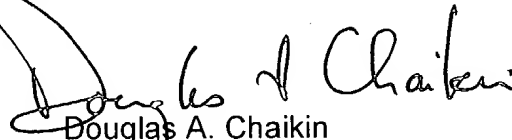
The total fee required with this communication is \$.00 and is provided as follows:

- X A check in the amount of \$ 55.00 has been previously submitted for this Response. Check Number _____.

Respectfully submitted

PENINSULA IP GROUP

A Professional Law Corporation

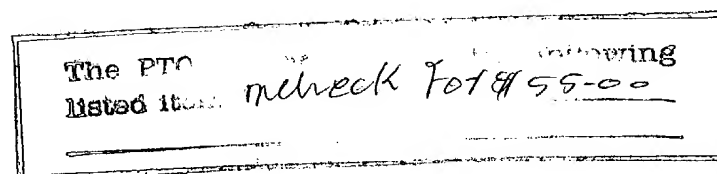

Douglas A. Chaikin

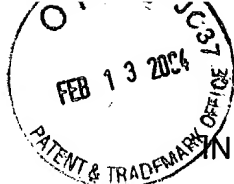
Reg. No. 29,140

2290 North First Street, Suite 101

San Jose, California 95131

Tel: (408) 965-4001





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Hideki Itaya, Jason Dominik Hool, Javier Urena, Fredrick Spears, Osamu Ohno and Kantaro Maruoka

SERIAL NUMBER: 09/849,731

FILED: May 3, 2001

FOR: **A DIAGNOSTIC PETTE ASSEMBLY
INCLUDING AUTOMATED
ASPIRATION APPARATUS**

PATENT

ART UNIT NO.: 1743

EXAMINER: Elizabeth S. Quan

ATTORNEY DOCKET NO.:
HCDI1786

San Jose, California
February 10, 2004

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Douglas A. Chaikin
Typed or printed name of person mailing paper or fee
Douglas A. Chaikin
Signature of person mailing paper

RESPONSE A (Supplemental)

Mail Stop: Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response A (Supplemental) is being submitted in response to the Office Notice of Non-Compliant Amendment dated February 6, 2004, relating to the above-identified application.

Reexamination and reconsideration of said application are respectfully requested. Applicant did not correctly provide the status identifier of the claims which were not changed. Those claims that have not been changed have been provided with